

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: C. M. Whitehouse  
Serial No. 09/901,428  
Filed : July 9, 2001  
Examiner: K. T. Nguyen  
Art Unit: 2881  
For: Multipole Ion Guide Mass Spectrometry...  
Attorney Docket No. 840.052.203

June 6, 2006

**VIA FAX (571) 273-8300**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

In response to the Official Action of May 22, 2006, submitted herewith is a copy of a Petition to Have Entered an Unintentionally Delayed Domestic Priority Claim which was filed with the PTO on June 2, 2006. With the granting of such petition, it is believed there is adequate continuity to the listed and identified patents and patent applications, and that there is now copendency.

The remaining rejections have been addressed in applicant's Briefs on Appeal, and this application should either be returned to the appeal process, or the current rejection should be reconsidered and an interference declared.

Respectfully submitted,

  
Peter L. Berger (Reg. No. 24, 570)

LEVISOHN, BERGER & LANGSAM, LLP  
805 Third Avenue, 19<sup>th</sup> Floor  
New York, New York 10022  
Tel. 212-486-7272 / Fax 212-486-0323  
Customer Number 04617  
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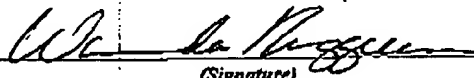
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| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>  |                         |                         | Docket No.<br>840.052.203 |
| Applicant(s): Whitehouse  |                         |                         |                           |
| Application No.<br>09/901,428   | Filing Date<br>7/9/2001 | Examiner<br>K.T. Nguyen | Group Art Unit<br>2881    |
| Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY.....   |                         |                         |                           |
| <p>I hereby certify that this <u>Letter with copy of previously submitted Amendment with copy of Petition</u><br/>(Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>September 6, 2006</u><br/>(Date)</p> <p><u>Wanda Ruggiera</u><br/>(Typed or Printed Name of Person Signing Certificate)</p> <p><u></u><br/>(Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p> |                         |                         |                           |

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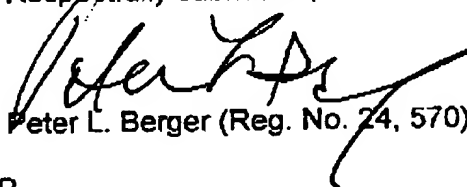
**LETTER**

Sir:

Further to our office's conversation with a representative of the PTO processing department, transmitted herewith is a copy of the PTO confirmation together with the documents submitted on June 6, 2006.

The PTO processing department representative indicated that the Amendment and Petition submitted on June 6, 2006 had not been received by the PTO and we were instructed to re-file these documents.

Respectfully submitted,



Peter L. Berger (Reg. No. 24, 570)

LEVISOHN, BERGER & LANGSAM, LLP  
805 Third Avenue, 19<sup>th</sup> Floor  
New York, New York 10022  
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USPTO 6/6/2006 2:04 PM PAGE 1/001 Fax Server  
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| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b><br>Applicant(s): Whitehouse  |                         |                         |                        | DocId: No.<br>040.053.303 |  |
| Application No.<br>09/901,413   | Filing Date<br>12/2/001 | Examiner<br>K.M. Nguyen | Group Art Unit<br>1803 |                           |  |
| Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY  |                         |                         |                        |                           |  |
| I hereby certify that this <u>Amendment with copy of Petition</u><br><u>is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8500)</u><br>on <u>June 6, 2006</u><br><u>(date)</u> |                         |                         |                        |                           |  |
| _____<br>(Type or print Name of Person Making Certification)<br><u>Wanda R. Rogers</u><br><u>Signature</u>  |                         |                         |                        |                           |  |
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## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Whitehouse

Docket No.

840.052.203

Application No.  
09/901,428

Filing Date  
7/9/2001

Examiner  
K.T. Nguyen

Group Art Unit  
2881

Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY....

I hereby certify that this

Amendment with copy of Petition

(Identify type of correspondence)

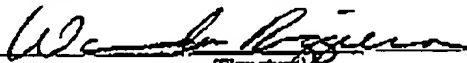
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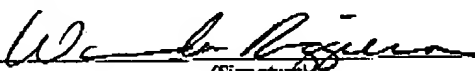
on June 6, 2006

(Date)

Wanda Ruggiera

(Typed or Printed Name of Person Signing Certificate)

  
(Signature)

|  |                         |                         |                           |
|--|-------------------------|-------------------------|---------------------------|
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| Applicant(s): <b>Whitehouse</b>  |                         |                         |                           |
| Application No.<br>09/901,428  | Filing Date<br>7/9/2001 | Examiner<br>K.T. Nguyen | Group Art Unit<br>2881    |
| Invention: <b>MULTIPOLE ION GUIDE MASS SPECTROMETRY.....</b>   |                         |                         |                           |
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